

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

IN RE ALTA MESA RESOURCES, INC.  
SECURITIES LITIGATION

Case No. 4:19-cv-00957

**CLASS ACTION**

[Lead Case]

ALYESKA MASTER FUND, L.P.,  
ALYESKA MASTER FUND 2, L.P., and  
ALYESKA MASTER FUND 3, L.P.,

Civil Action No. 4:22-cv-001189

[Consolidated Case]

Plaintiffs,

v.

ALTA MESA RESOURCES, INC., f/k/a  
SILVER RUN ACQUISITION  
CORPORATION II; RIVERSTONE  
HOLDINGS LLC; ARM ENERGY  
HOLDINGS LLC; BAYOU CITY ENERGY  
MANAGEMENT, LLC; HPS INVESTMENT  
PARTNERS, LLC; JAMES T. HACKETT,  
HARLAN H. CHAPPELLE, WILLIAM  
GUTERMUTH, JEFFREY H. TEPPER, DIANA  
J. WALTERS; MICHAEL E. ELLIS; RONALD  
SMITH; DON DIMITRIEVICH; PIERRE F.  
LAPEYRE, JR.; DAVID M. LEUSCHEN;  
WILLIAM W. MCMULLEN; DONALD  
SINCLAIR; STEPHEN COATS; and THOMAS  
J. WALKER,

Defendants.

ORBIS GLOBAL EQUITY LE FUND  
(AUSTRALIA REGISTERED), ORBIS  
GLOBAL EQUITY FUND (AUSTRALIA  
REGISTERED), ORBIS GLOBAL  
BALANCED FUND (AUSTRALIA  
REGISTERED), ORBIS SICAV, ORBIS  
INSTITUTIONAL GLOBAL EQUITY L.P.,  
ORBIS GLOBAL EQUITY FUND LIMITED,  
ORBIS INSTITUTIONAL FUNDS LIMITED,  
ALLAN GRAY AUSTRALIA BALANCED  
FUND, ORBIS OEIC, and ORBIS  
INSTITUTIONAL U.S. EQUITY L.P.,

Plaintiffs,

v.

ALTA MESA RESOURCES, INC., f/k/a  
SILVER RUN ACQUISITION  
CORPORATION II; RIVERSTONE  
HOLDINGS LLC; ARM ENERGY  
HOLDINGS LLC; BAYOU CITY ENERGY  
MANAGEMENT, LLC; HPS INVESTMENT  
PARTNERS, LLC; JAMES T. HACKETT,  
HARLAN H. CHAPPELLE, WILLIAM  
GUTERMUTH, JEFFREY H. TEPPER, DIANA  
J. WALTERS; MICHAEL E. ELLIS; RONALD  
SMITH; DON DIMITRIEVICH; PIERRE F.  
LAPEYRE, JR.; DAVID M. LEUSCHEN;  
WILLIAM W. MCMULLEN; DONALD  
SINCLAIR; STEPHEN COATS; and THOMAS  
J. WALKER,

Defendants.

Civil Action No. 4:22-cv-02590

[Consolidated Case]

**DECLARATION OF CHRISTOPHER PORTER IN SUPPORT OF  
MOTION OF DONALD DIMITRIEVICH AND WILLIAM MCMULLEN  
FOR SUMMARY JUDGEMENT AS TO OPT-OUT PLAINTIFFS'  
STATE LAW AND SECTION 18 CLAIMS**

I, Christopher Porter, declare as follows:

1. I am a Partner at the law firm Quinn Emanuel Urquhart & Sullivan, LLP, counsel for Defendants Donald Dimitrievich and HPS Investment Partners, LLC in this action. I am a member of the Bar of the State of Texas and am admitted to practice before this Court. I respectfully submit this declaration in support of the Motion of Messrs. Donald Dimitrievich and William McMullen for Summary Judgment on the Class and Opt-Out Plaintiffs' Section 18 and State Law Claims, and to put certain relevant documents before the Court. On information and belief, I understand the facts in this declaration to be true.

2. Attached hereto as **Exhibit A** is a true and correct copy of excerpts from the transcript of Adam Karr's July 20, 2023 deposition.

3. Attached hereto as **Exhibit B** is a true and correct copy of excerpts from the transcript of Donald Dimitrievich's March 7, 2023 deposition.

4. Attached hereto as **Exhibit C** is a true and correct copy of Alta Mesa Resources, Inc.'s Form 10-K, filed on March 29, 2018, for the fiscal year ended December 31, 2017.

5. Attached hereto as **Exhibit D** is a true and correct copy of William McMullen's Responses and Objections to Lead Plaintiffs' First Set of Interrogatories to the Individual Defendants, dated May 9, 2022.

6. Attached hereto as **Exhibit E** is a true and correct copy of excerpts from the transcript of Randy Mitchell's July 10-11, 2023 deposition.

7. Attached hereto as **Exhibit F** is a true and correct copy of excerpts from the transcript of Alexander Shamash's November 24, 2021 deposition.

8. Attached hereto as **Exhibit G** is a true and correct copy of excerpts from the transcript of Jonathan Berger's July 13, 2023 deposition.

9. Attached hereto as **Exhibit H** is a true and correct copy of excerpts from the transcript of Alec Cutler's July 14, 2023 deposition.

10. Attached hereto as **Exhibit I** is a true and correct copy of excerpts from the transcript of William McMullen's June 6, 2023 deposition.

11. Attached hereto as **Exhibit J** is a true and correct copy of Bayou City Management, LLC's Responses and Objections to Class Plaintiffs' First Set of Interrogatories, dated May 18, 2023.

12. Attached hereto as **Exhibit K** is a true and correct copy of excerpts from the transcript of Brad Murray's July 21, 2023 deposition.

13. Attached hereto as **Exhibit L** is a true and correct copy of a document introduced into the record in this action as Alyeska Ex. 23.

14. Attached hereto as **Exhibit M** is a true and correct copy of a document introduced into the record in this action as Orbis Ex. 5.

15. Attached hereto as **Exhibit N** is a true and correct copy of the Response on Behalf of Donald Dimitrievich to Lead Plaintiffs' First Set of Interrogatories Directed to the Individual Defendants, dated May 9, 2022.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 31, 2023 in Houston, Texas

Dated: August 31, 2023

/s/ Christopher Porter